

1
2
3
4
5
6
7
8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN JOSE DIVISION
11

12 JUAN CARLOS CUELLAR, et al.)

13 Plaintiffs,)

14 v.)

15 ANTHONY FIDEL ALAMILLO, et al.,)

16 Defendants.)
17

Case No.: C 09-4047 PSG

**ORDER TO SHOW CAUSE WHY
CASE SHOULD NOT BE DISMISSED
FOR FAILURE TO PROSECUTE**

18 This case was originally assigned to District Judge James Ware. On September 10, 2010, the
19 parties filed a Joint Pretrial Statement, in which they consented to Magistrate Judge jurisdiction.
20 Thereafter, the case was reassigned to the undersigned. A case management conference was
21 scheduled in this matter for December 14, 2010. None of the parties appeared. Additionally, none
22 of the parties filed a case management conference statement pursuant to Civ L.R. 16-9.

23 Under Federal Rule of Civil Procedure 41(b), if the plaintiff fails to prosecute or to comply
24 with these rules or a court order, the court may dismiss the action sua sponte. *Link v. Wabash R.R.*
25 *Co.*, 370 U.S. 626, 630, 82 S.Ct. 1386, 1388, 8 L.Ed.2d 734 (1962). Accordingly, Plaintiffs are
26 ordered to show cause why the case should not be dismissed for failure to prosecute. Plaintiffs shall
27
28

1 respond in writing no later than December 28, 2010.

2 IT IS SO ORDERED.

3
4 Dated: December 15, 2010

5 
6 PAUL S. GREWAL
United States Magistrate Judge